

### REMARKS

Applicants respectfully request reconsideration of the pending claims.

The office action objected to claims 1-22 because of a number of informalities. In particular, the office action objected to claims 1, 10, and 21 requiring more clarification as to the meaning of "it." To clarify their inherent meaning, claims 1, 10, and 21 were amended to replace "it" with "the motion detector." In addition, claims 14, 19, and 20 also were amended to clarify obvious typographical errors.

The office action also requested clarification of the phrase "a longitudinal axis directly securing including aligning" of Claim 19. The applicants wish to point out, however, that the quotation in the office action is not an exact/accurate quotation from the claim. Specifically, the quotation in the office action omits the comma between the words "axis" and "directly." The quoted clause therefore actually reads as follows: "... a longitudinal axis, directly securing including aligning . . . ." The portion before the comma thus provides antecedent basis for the term "longitudinal axis," while the portion after the comma modifies the act of "directly securing" in the parent claims.

The office action rejected claims 1-22 under 35 USC 102(e) as being anticipated by US patent number 6,711,951 (Kicher et al, hereinafter "Kicher"). In summary, claim 1 defines a motion detector having a fastener, and a motion sensor secured to one of the surfaces of the fastener. To sense motion of an object, the fastener is directly coupleable with such object.

Kicher shows no such motion detector. Instead, as shown in Figure 1, Kicher shows an accelerometer 14 secured to something different; a mounting block 20---not to a fastener. Indeed, Kicher uses a fastener 24, but to connect the mounting block 22 (having the accelerometer) to an object 12. Accordingly, unlike the claimed device, the accelerometer 14 is not secured to a surface of the fastener 24. In fact, because of this claimed arrangement, the device defined by Claim 1 improves upon the Kicher apparatus by eliminating the need for the mounting block 20. In other words, the claimed device fixes a problem in the prior art (i.e., in Kicher).

The office action suggests, however, that the accelerometer mount 16 of Kicher is a fastener. The applicants respectfully disagree with this characterization. In contrast, although the fastener 24 is part of the mount 16, it is an independent component with a well known meaning and use in the art. Specifically, as shown in Figure 1, the accelerator mount 16 includes three distinct components: 1) the mounting block 20, 2) damping material 22, and 3) an elastic member/fastener 24. As noted above, the accelerometer 14 is mounted to a surface of the mounting block 20, not to the surface of the fastener 24.

This use of the term "fastener" by Kicher is consistent with the definition of that term as used by those skilled in the art. For example, Webster's New World Dictionary, Third College Edition, defines a fastener as "any of various devices for fastening things together." Clearly, the fastener 24 of Kicher performs this very function--fastening the mounting block 22 to the object 12. See, for example, lines 18-19 of column 3, which use the term "fastener" in a consistent manner, by stating that "the elastic member 24 may include one or more fasteners, such as screws, bolts, rivets, pins, or the like." As a second example, see lines 59-62 of column 3, which state that "the accelerometer mount 16 may have multiple elastic members 24, such as having multiple fasteners connecting the accelerometer mount 16 to the target object 12."

Claim 1 therefore is allowable in view of the cited art. In a similar manner, dependent claims 2-9 also are allowable for the same reasons.

In a manner similar to Claim 1, Claim 10 (written in means plus function format as specified by 35 USC 112, sixth paragraph) defines a motion detector also requiring sensing means secured to a surface of a directly coupling means. Because it is written in means plus function format, the directly coupling means refers to a fastener or equivalent as shown in the description. Accordingly, Claim 10 is allowable for the same reasons as discussed above with regard to Claim 1. Dependent claims 11-15 also are allowable for the same reasons.

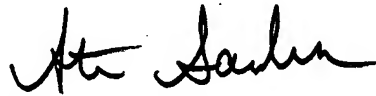
Also in a manner similar to Claim 1, Claim 16 defines a method of producing a motion detector that secures a motion sensor to one of a plurality of surfaces of a

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fastener. Accordingly, Claim 16 is allowable for the same reasons as discussed above with regard to Claim 1. In addition, dependent claims 16-22 also are allowable for the same reasons.

The application thus is in condition for allowance and such action is earnestly solicited. Applicants request that the examiner contact applicant's attorney, Steven Saunders, if it will assist examination of the pending claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Saunders", written in a cursive style.

Steven G. Saunders  
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